

1 Rule 40. Scheduling and postponing a trial.

2 (a) Scheduling a trial. Until a case is certified in accordance with Rule 16, the court
3 may but is not required to schedule a trial.

4 (b) Postponement. The court may postpone a trial for good cause upon such terms
5 as are just, including the payment of costs.

6 (c) Preserving testimony of witnesses. If requested, the court may conduct a hearing
7 to examine and cross-examine any witness present, and the testimony may be read at
8 the trial with the same effect as and subject to the same objections to a deposition
9 under Rule 32.

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